
HOUSE BILL 2011

State of Washington 60th Legislature 2007 Regular Session

By Representatives Flannigan, Armstrong, Wallace, Buri, Linville, Sells, Hasegawa, Wood, Kenney, Simpson, Ormsby and Schual-Berke

Read first time 02/05/2007. Referred to Committee on Transportation.

1 AN ACT Relating to commute trip reduction programs for students at
2 public institutions of higher education; amending RCW 70.94.524,
3 70.94.527, 70.94.528, 70.94.531, 70.94.534, 70.94.537, 70.94.541,
4 70.94.547, and 70.94.551; adding a new section to chapter 70.94 RCW;
5 creating a new section; and making an appropriation.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** The legislature finds that it is in the
8 interests of our state to extend the commute trip reduction program to
9 include not only employees, but also students from public institutions
10 of higher education. Traffic congestion is a serious problem that
11 affects the health and safety of everyone in the state. Therefore, the
12 inclusion of students in the commute trip reduction programs that
13 public universities are already operating for their employees would be
14 greatly beneficial in reaching this state's existing policy goals of
15 reducing traffic and improving environmental quality.

16 **Sec. 2.** RCW 70.94.524 and 2006 c 329 s 1 are each amended to read
17 as follows:

1 Unless the context clearly requires otherwise, the definitions in
2 this section apply throughout this chapter.

3 (1) "A major employer" means a private or public employer,
4 including state agencies, that employs one hundred or more full-time
5 employees at a single worksite who begin their regular work day between
6 6:00 a.m. and 9:00 a.m. on weekdays for at least twelve continuous
7 months during the year.

8 (2) "Major worksite" means a building or group of buildings that
9 are on physically contiguous parcels of land or on parcels separated
10 solely by private or public roadways or rights of way, and at which
11 there are: (a) One hundred or more full-time employees, who begin
12 their regular work day between 6:00 a.m. and 9:00 a.m. on weekdays, for
13 at least twelve continuous months; or (b) one hundred or more students,
14 who attend courses or activities required by a public institution of
15 higher education, between 6:00 a.m. and 9:00 a.m. on weekdays, for at
16 least two continuous months.

17 (3) "Major employment installation" means a military base or
18 federal reservation, excluding tribal reservations, at which there are
19 one hundred or more full-time employees, who begin their regular
20 workday between 6:00 a.m. and 9:00 a.m. on weekdays, for at least
21 twelve continuous months during the year.

22 (4) "Person hours of delay" means the daily person hours of delay
23 per mile in the peak period of 6:00 a.m. to 9:00 a.m., as calculated
24 using the best available methodology by the department of
25 transportation.

26 (5) "Commute trip" means trips made from a worker's home to a
27 worksite or a student's home to a public institution of higher
28 education during the peak period of 6:00 a.m. to 9:00 a.m. on weekdays.

29 (6) "Proportion of single-occupant vehicle commute trips" means the
30 number of commute trips made by single-occupant automobiles divided by
31 the number of full-time employees.

32 (7) "Commute trip vehicle miles traveled per employee" means the
33 sum of the individual vehicle commute trip lengths in miles over a set
34 period divided by the number of full-time employees during that period.

35 (8) "Commute trip vehicle miles traveled per student" means the sum
36 of the individual vehicle commute trip lengths in miles over a set
37 period divided by the number of students during that period.

1 (9) "Base year" means the twelve-month period commencing when a
2 major employer is determined to be participating by the local
3 jurisdiction, on which commute trip reduction goals shall be based.

4 (~~(9)~~) (10) "Growth and transportation efficiency center" means a
5 defined, compact, mixed-use urban area that contains jobs or housing
6 and supports multiple modes of transportation. For the purpose of
7 funding, a growth and transportation efficiency center must meet
8 minimum criteria established by the commute trip reduction board under
9 RCW 70.94.537, and must be certified by a regional transportation
10 planning organization as established in RCW 47.80.020.

11 (~~(10)~~) (11)(a) "Affected urban growth area" means:

12 (i) An urban growth area, designated pursuant to RCW 36.70A.110,
13 whose boundaries contain a state highway segment exceeding the one
14 hundred person hours of delay threshold calculated by the department of
15 transportation, and any contiguous urban growth areas; and

16 (ii) An urban growth area, designated pursuant to RCW 36.70A.110,
17 containing a jurisdiction with a population over seventy thousand that
18 adopted a commute trip reduction ordinance before the year 2000, and
19 any contiguous urban growth areas.

20 (b) Affected urban growth areas will be listed by the department of
21 transportation in the rules for chapter 329, Laws of 2006 using the
22 criteria identified in (a) of this subsection.

23 (~~(11)~~) (12) "Certification" means a determination by a regional
24 transportation planning organization that a locally designated growth
25 and transportation efficiency center program meets the minimum criteria
26 developed in a collaborative regional process and the rules established
27 by the department of transportation.

28 (13) "Public institution" or "public institution of higher
29 education" means any single campus location of a public four-year
30 university or college, operated by the state of Washington or any
31 political subdivision of the state that has more than one hundred
32 students at that single campus location, who begin classes between 6:00
33 a.m. and 9:00 a.m. on weekdays for at least two continuous months.

34 (14) "Student" means an individual currently enrolled in a public
35 institution of higher education, as defined in this section, at least
36 half-time.

1 **Sec. 3.** RCW 70.94.527 and 2006 c 329 s 2 are each amended to read
2 as follows:

3 (1) Each county containing an urban growth area, designated
4 pursuant to RCW 36.70A.110, and each city within an urban growth area
5 with a state highway segment exceeding the one hundred person hours of
6 delay threshold calculated by the department of transportation, as well
7 as those counties and cities located in any contiguous urban growth
8 areas, shall adopt a commute trip reduction plan and ordinance for
9 major employers, as well as for a public institution and its students,
10 in the affected urban growth area by a date specified by the commute
11 trip reduction board. Jurisdictions located within an urban growth
12 area with a population greater than seventy thousand that adopted a
13 commute trip reduction ordinance before the year 2000, as well as any
14 jurisdiction within contiguous urban growth areas, shall also adopt a
15 commute trip reduction plan and ordinance for major employers, as well
16 as for public institutions and their students, in the affected urban
17 growth area by a date specified by the commute trip reduction board.
18 Jurisdictions containing a major employment installation in a county
19 with an affected growth area, designated pursuant to RCW 36.70A.110,
20 shall adopt a commute trip reduction plan and ordinance for major
21 employers in the major employment installation by a date specified by
22 the commute trip reduction board. The ordinance shall establish the
23 requirements for major employers and public institutions and provide an
24 appeals process by which major employers or public institutions, who as
25 a result of special characteristics of their business or (~~its~~)
26 locations would be unable to meet the requirements of the ordinance,
27 may obtain waiver or modification of those requirements. The plan
28 shall be designed to achieve reductions in the proportion of single-
29 occupant vehicle commute trips and be consistent with the rules
30 established by the department of transportation. The county, city, or
31 town shall submit its adopted plan to the regional transportation
32 planning organization. The county, city, or town plan shall be
33 included in the regional commute trip reduction plan for regional
34 transportation planning purposes, consistent with the rules established
35 by the department of transportation in RCW 70.94.537.

36 (2) All other counties, cities, and towns may adopt and implement
37 a commute trip reduction plan consistent with department of
38 transportation rules established under RCW 70.94.537. Tribal

1 governments are encouraged to adopt a commute trip reduction plan for
2 their lands. State investment in voluntary commute trip reduction
3 plans shall be limited to those areas that meet criteria developed by
4 the commute trip reduction board.

5 (3) The department of ecology may, after consultation with the
6 department of transportation, as part of the state implementation plan
7 for areas that do not attain the national ambient air quality standards
8 for carbon monoxide or ozone, require municipalities other than those
9 identified in subsection (1) of this section to adopt and implement
10 commute trip reduction plans if the department determines that such
11 plans are necessary for attainment of said standards.

12 (4) A commute trip reduction plan shall be consistent with the
13 rules established under RCW 70.94.537 and shall include but is not
14 limited to (a) goals for reductions in the proportion of single-
15 occupant vehicle commute trips consistent with the state goals
16 established by the commute trip reduction board under RCW 70.94.537 and
17 the regional commute trip reduction plan goals established in the
18 regional commute trip reduction plan; (b) a description of the
19 requirements for major public and private sector employers, as well as
20 public institutions to implement commute trip reduction programs; (c)
21 a commute trip reduction program for employees of the county, city, or
22 town or students of a public institution located within the county,
23 city, or town; and (d) means, consistent with rules established by the
24 department of transportation, for determining base year values and
25 progress toward meeting commute trip reduction plan goals. The plan
26 shall be developed in consultation with local transit agencies, the
27 applicable regional transportation planning organization, major
28 employers, and other interested parties. If a plan has already been
29 developed prior to the inclusion of public institutions of higher
30 education, then the plan must be modified to include the public
31 institutions. Further, the public institutions are to be consulted in
32 regards to such plan modifications.

33 (5) The commute trip reduction plans adopted by counties, cities,
34 and towns under this chapter shall be consistent with and may be
35 incorporated in applicable state or regional transportation plans and
36 local comprehensive plans and shall be coordinated, and consistent
37 with, the commute trip reduction plans of counties, cities, or towns
38 with which the county, city, or town has, in part, common borders or

1 related regional issues. Such regional issues shall include assuring
2 consistency in the treatment of employers who have worksites subject to
3 the requirements of this chapter in more than one jurisdiction as well
4 as public institutions with campus locations subject to the
5 requirements of this chapter in more than one jurisdiction. Counties,
6 cities, and towns adopting commute trip reduction plans may enter into
7 agreements through the interlocal cooperation act or by resolution or
8 ordinance as appropriate with other jurisdictions, local transit
9 agencies, transportation management associations or other private or
10 nonprofit providers of transportation services, or regional
11 transportation planning organizations to coordinate the development and
12 implementation of such plans. Transit agencies shall work with
13 counties, cities, and towns as a part of their six-year transit
14 development plan established in RCW 35.58.2795 to take into account the
15 location of major employer or public institution worksites when
16 planning and prioritizing transit service changes or the expansion of
17 public transportation services, including rideshare services.
18 Counties, cities, or towns adopting a commute trip reduction plan shall
19 review it annually and revise it as necessary to be consistent with
20 applicable plans developed under RCW 36.70A.070. Regional
21 transportation planning organizations shall review the local commute
22 trip reduction plans during the development and update of the regional
23 commute trip reduction plan.

24 (6) Each affected regional transportation planning organization
25 shall adopt a commute trip reduction plan for its region consistent
26 with the rules and deadline established by the department of
27 transportation under RCW 70.94.537. The plan shall include, but is not
28 limited to: (a) Regional program goals for commute trip reduction in
29 urban growth areas and all designated growth and transportation
30 efficiency centers; (b) a description of strategies for achieving the
31 goals; (c) a sustainable financial plan describing projected revenues
32 and expenditures to meet the goals; (d) a description of the way in
33 which progress toward meeting the goals will be measured; and (e)
34 minimum criteria for growth and transportation efficiency centers. (i)
35 Regional transportation planning organizations shall review proposals
36 from local jurisdictions to designate growth and transportation
37 efficiency centers and shall determine whether the proposed growth and
38 transportation efficiency center is consistent with the criteria

1 defined in the regional commute trip reduction plan. (ii) Growth and
2 transportation efficiency centers certified as consistent with the
3 minimum requirements by the regional transportation planning
4 organization shall be identified in subsequent updates of the regional
5 commute trip reduction plan. These plans shall be developed in
6 collaboration with all affected local jurisdictions, transit agencies,
7 and other interested parties within the region. The plan will be
8 reviewed and approved by (~~the~~) the commute trip reduction board as
9 established under RCW 70.94.537. Regions without an approved regional
10 commute trip reduction plan shall not be eligible for state commute
11 trip reduction program funds.

12 The regional commute trip reduction plan shall be consistent with
13 and incorporated into transportation demand management components in
14 the regional transportation plan as required by RCW 47.80.030.

15 (7) Each regional transportation planning organization implementing
16 a regional commute trip reduction program shall, consistent with the
17 rules and deadline established by the department of transportation,
18 submit its plan as well as any related local commute trip reduction
19 plans and certified growth and transportation efficiency center
20 programs, to the commute trip reduction board established under RCW
21 70.94.537. The commute trip reduction board shall review the regional
22 commute trip reduction plan and the local commute trip reduction plans.
23 The regional transportation planning organization shall collaborate
24 with the commute trip reduction board to evaluate the consistency of
25 local commute trip reduction plans with the regional commute trip
26 reduction plan. Local and regional plans must be approved by the
27 commute trip reduction board in order to be eligible for state funding
28 provided for the purposes of this chapter.

29 (8) Each regional transportation planning organization implementing
30 a regional commute trip reduction program shall submit an annual
31 progress report to the commute trip reduction board established under
32 RCW 70.94.537. The report shall be due at the end of each state fiscal
33 year for which the program has been implemented. The report shall
34 describe progress in attaining the applicable commute trip reduction
35 goals and shall highlight any problems being encountered in achieving
36 the goals. The information shall be reported in a form established by
37 the commute trip reduction board.

1 (9) Any waivers or modifications of the requirements of a commute
2 trip reduction plan granted by a jurisdiction shall be submitted for
3 review to the commute trip reduction board established under RCW
4 70.94.537. The commute trip reduction board may not deny the granting
5 of a waiver or modification of the requirements of a commute trip
6 reduction plan by a jurisdiction but they may notify the jurisdiction
7 of any comments or objections.

8 (10) Plans implemented under this section shall not apply to
9 commute trips for seasonal agricultural employees.

10 (11) Plans implemented under this section shall not apply to
11 construction worksites when the expected duration of the construction
12 project is less than two years.

13 (12) If an affected urban growth area has not previously
14 implemented a commute trip reduction program and the state has funded
15 solutions to state highway deficiencies to address the area's exceeding
16 the person hours of delay threshold, the affected urban growth area
17 shall be exempt from the duties of this section for a period not
18 exceeding two years.

19 **Sec. 4.** RCW 70.94.528 and 2006 c 329 s 4 are each amended to read
20 as follows:

21 (1) A county, city, or town may, as part of its commute trip
22 reduction plan, designate existing activity centers listed in its
23 comprehensive plan or new activity centers as growth and transportation
24 efficiency centers and establish a transportation demand management
25 program in the designated area.

26 (a) The transportation demand management program for the growth and
27 transportation efficiency center shall be developed in consultation
28 with local transit agencies, the applicable regional transportation
29 planning organization, major employers, public institutions that are a
30 major worksite with students, and other interested parties. If a plan
31 has already been developed prior to the inclusion of public
32 institutions of higher education, then the plan must be modified to
33 include the public institutions. Further, the public institutions are
34 to be consulted in regards to such plan modifications.

35 (b) In order to be eligible for state funding provided for the
36 purposes of this section, designated growth and transportation
37 efficiency centers shall be certified by the applicable regional

1 transportation organization to: (i) Meet the minimum land use and
2 transportation criteria established in collaboration among local
3 jurisdictions, transit agencies, the regional transportation planning
4 organization, and other interested parties as part of the regional
5 commute trip reduction plan; and (ii) have established a transportation
6 demand management program that includes the elements identified in (c)
7 of this subsection and is consistent with the rules established by the
8 department of transportation in RCW 70.94.537(2). If a designated
9 growth and transportation efficiency center is denied certification,
10 the local jurisdiction may appeal the decision to the commute trip
11 reduction board.

12 (c) Transportation demand management programs for growth and
13 transportation efficiency centers shall include, but are not limited
14 to: (i) Goals for reductions in the proportion of single-occupant
15 vehicle trips that are more aggressive than the state program goal
16 established by the commute trip reduction board; (ii) a sustainable
17 financial plan demonstrating how the program can be implemented to meet
18 state and regional trip reduction goals, indicating resources from
19 public and private sources that are reasonably expected to be made
20 available to carry out the plan, and recommending any innovative
21 financing techniques consistent with chapter 47.29 RCW, including
22 public/private partnerships, to finance needed facilities, services,
23 and programs; (iii) a proposed organizational structure for
24 implementing the program; (iv) a proposal to measure performance toward
25 the goal and implementation progress; and (v) an evaluation to which
26 local land use and transportation policies apply, including parking
27 policies and ordinances, to determine the extent that they complement
28 and support the trip reduction investments of major employers and
29 public institutions. Each of these program elements shall be
30 consistent with the rules established under RCW 70.94.537.

31 (d) A designated growth and transportation efficiency center shall
32 be consistent with the land use and transportation elements of the
33 local comprehensive plan.

34 (e) Transit agencies, local governments, and regional
35 transportation planning organizations shall identify certified growth
36 and transportation efficiency centers as priority areas for new service
37 and facility investments in their respective investment plans.

1 (2) A county, city, or town that has established a growth and
2 transportation efficiency center program shall support vehicle trip
3 reduction activities in the designated area. The implementing
4 jurisdiction shall adopt policies, ordinances, and funding strategies
5 that will lead to attainment of program goals in those areas.

6 **Sec. 5.** RCW 70.94.531 and 2006 c 329 s 5 are each amended to read
7 as follows:

8 (1) State agency worksites are subject to the same requirements
9 under this section and RCW 70.94.534 as private employers.

10 (2) Not more than ninety days after the adoption of a
11 jurisdiction's commute trip reduction plan, each major employer in that
12 jurisdiction shall perform a baseline measurement consistent with the
13 rules established by the department of transportation under RCW
14 70.94.537. A public institution must also perform a baseline
15 measurement along with the following requirements of this subsection
16 ninety days after a plan which includes provisions for public
17 institutions is adopted or ninety days after a plan has been initially
18 modified to include the public institution. Not more than ninety days
19 after receiving the results of the baseline measurement, each major
20 employer and public institution shall develop a commute trip reduction
21 program and shall submit a description of that program to the
22 jurisdiction for review. The program shall be implemented not more
23 than ninety days after approval by the jurisdiction.

24 (3) A commute trip reduction program of a major employer and public
25 institution shall consist of, at a minimum (a) designation of a
26 transportation coordinator and the display of the name, location, and
27 telephone number of the coordinator in a prominent manner at each
28 affected worksite; (b) regular distribution of information to employees
29 regarding alternatives to single-occupant vehicle commuting; (c) a
30 regular review of employee commuting and reporting of progress toward
31 meeting the single-occupant vehicle reduction goals to the county,
32 city, or town consistent with the method established in the commute
33 trip reduction plan and the rules established by the department of
34 transportation under RCW 70.94.537; and (d) implementation of a set of
35 measures designed to achieve the applicable commute trip reduction
36 goals adopted by the jurisdiction. Such measures may include but are
37 not limited to:

- 1 (i) Provision of preferential parking or reduced parking charges,
2 or both, for high occupancy vehicles;
- 3 (ii) Instituting or increasing parking charges for single-occupant
4 vehicles;
- 5 (iii) Provision of commuter ride matching services to facilitate
6 employee ridesharing for commute trips;
- 7 (iv) Provision of subsidies for transit fares;
- 8 (v) Provision of vans for van pools;
- 9 (vi) Provision of subsidies for car pooling or van pooling;
- 10 (vii) Permitting the use of the employer's or public institution's
11 vehicles for car pooling or van pooling;
- 12 (viii) Permitting flexible work schedules to facilitate employees'
13 use of transit, car pools, or van pools;
- 14 (ix) Cooperation with transportation providers to provide
15 additional regular or express service to the worksite;
- 16 (x) Construction of special loading and unloading facilities for
17 transit, car pool, and van pool users;
- 18 (xi) Provision of bicycle parking facilities, lockers, changing
19 areas, and showers for employees who bicycle or walk to work;
- 20 (xii) Provision of a program of parking incentives such as a rebate
21 for employees who do not use the parking facility;
- 22 (xiii) Establishment of a program to permit employees to work part
23 or full time at home or at an alternative worksite closer to their
24 homes;
- 25 (xiv) Establishment of a program of alternative work schedules such
26 as compressed work week schedules which reduce commuting; (~~and~~)
- 27 (xv) Implementation of other measures designed to facilitate the
28 use of high-occupancy vehicles such as on-site day care facilities and
29 emergency taxi services;
- 30 (xvi) Establishment of a program to permit students to participate
31 in courses at home or at an alternative worksite closer to their homes;
32 and
- 33 (xvii) Establishment of a program of alternative course schedules,
34 which reduce commuting.
- 35 (4) Employers or owners of worksites may form or utilize existing
36 transportation management associations or other transportation-related
37 associations authorized by RCW 35.87A.010 to assist members in
38 developing and implementing commute trip reduction programs.

1 (5) Employers and public institutions shall make a good faith
2 effort towards achievement of the goals identified in RCW
3 70.94.527(4)(d).

4 **Sec. 6.** RCW 70.94.534 and 2006 c 329 s 6 are each amended to read
5 as follows:

6 (1) Each jurisdiction implementing a commute trip reduction plan
7 under this chapter or as part of a plan or ordinance developed under
8 RCW 36.70A.070 shall review each employer's and public institution's
9 initial commute trip reduction program to determine if the program is
10 likely to meet the applicable commute trip reduction goals. The
11 employer and public institution shall be notified by the jurisdiction
12 of its findings. If the jurisdiction finds that the program is not
13 likely to meet the applicable commute trip reduction goals, the
14 jurisdiction will work with the employer and public institution to
15 modify the program as necessary. The jurisdiction shall complete
16 review of each employer's and public institution's initial commute trip
17 reduction program within ninety days of receipt.

18 (2) Employers and public institutions implementing commute trip
19 reduction programs for employees or students are expected to undertake
20 good faith efforts to achieve the goals outlined in RCW 70.94.527(4).
21 Employers and public institutions are considered to be making a good
22 faith effort if the following conditions have been met:

23 (a) The employer (~~has~~) and public institution have met the
24 minimum requirements identified in RCW 70.94.531;

25 (b) The employer (~~has~~) and public institution have notified the
26 jurisdiction of its intent to substantially change or modify its
27 program and (~~has~~) have either received the approval of the
28 jurisdiction to do so or (~~has~~) have acknowledged that its program may
29 not be approved without additional modifications;

30 (c) The employer (~~has~~) and public institution have provided
31 adequate information and documentation of implementation when requested
32 by the jurisdiction; and

33 (d) The employer (~~is~~) and public institution are each working
34 collaboratively with (~~its~~) their jurisdiction to continue (~~its~~)
35 their existing programs or (~~is~~) are developing and implementing
36 program modifications likely to result in improvements to (~~the~~) their
37 respective programs over an agreed upon length of time.

1 (3) Each jurisdiction shall review at least once every two years
2 each employer's and public institution's progress and good faith
3 efforts toward meeting the applicable commute trip reduction goals for
4 the employer's employees and the public institution's students. If an
5 employer or a public institution makes a good faith effort, as defined
6 in this section, but is not likely to meet the applicable commute trip
7 reduction goals, the jurisdiction shall work collaboratively with the
8 employer and collaboratively with the public institution to make
9 modifications to the commute trip reduction programs. Failure of an
10 employer or public institution to reach the applicable commute trip
11 reduction goals is not a violation of this chapter.

12 (4) If an employer or a public institution fails to make a good
13 faith effort and fails to meet the applicable commute trip reduction
14 goals, the jurisdiction shall work collaboratively with the employer
15 and collaboratively with the public institution to propose
16 modifications to the program and shall direct the employer or public
17 institution to revise its program within thirty days to incorporate
18 those modifications or modifications which the jurisdiction determines
19 to be equivalent.

20 (5) Each jurisdiction implementing a commute trip reduction plan
21 pursuant to this chapter may impose civil penalties, in the manner
22 provided in chapter 7.80 RCW, for failure by an employer or public
23 institution to implement a commute trip reduction program or to modify
24 its commute trip reduction program as required in subsection (4) of
25 this section. ~~((No))~~ A major employer or public institution may not be
26 held liable for civil penalties for failure to reach the applicable
27 commute trip reduction goals. No major employer shall be liable for
28 civil penalties under this chapter if failure to achieve a commute trip
29 reduction program goal was the result of an inability to reach
30 agreement with a certified collective bargaining agent under applicable
31 laws where the issue was raised by the employer and pursued in good
32 faith.

33 (6) Jurisdictions shall notify major employers and public
34 institutions of the procedures for applying for goal modification or
35 exemption from the commute trip reduction requirements based on the
36 guidelines established by the commute trip reduction board authorized
37 under RCW 70.94.537.

1 **Sec. 7.** RCW 70.94.537 and 2006 c 329 s 7 are each amended to read
2 as follows:

3 (1) (~~(A sixteen)~~) An eighteen member state commute trip reduction
4 board is established as follows:

5 (a) The secretary of the department of transportation or the
6 secretary's designee who shall serve as chair;

7 (b) One representative from the office of the governor or the
8 governor's designee;

9 (c) The director or the director's designee of one of the following
10 agencies, to be determined by the governor:

11 (i) Department of general administration;

12 (ii) Department of ecology;

13 (iii) Department of community, trade, and economic development;

14 (d) Three representatives from cities and towns or counties
15 appointed by the governor for staggered four-year terms from a list
16 recommended by the association of Washington cities or the Washington
17 state association of counties;

18 (e) Two representatives from transit agencies appointed by the
19 governor for staggered four-year terms from a list recommended by the
20 Washington state transit association;

21 (f) Two representatives from participating regional transportation
22 planning organizations appointed by the governor for staggered four-
23 year terms;

24 (g) Four representatives of employers at or owners of major
25 worksites in Washington, or transportation management associations,
26 business improvement areas, or other transportation organizations
27 representing employers, appointed by the governor for staggered four-
28 year terms; (~~and~~)

29 (h) Two citizens appointed by the governor for staggered four-year
30 terms; and

31 (i) Two representatives of public institutions of higher education
32 appointed by the governor for staggered four-year terms.

33 Members of the commute trip reduction board shall serve without
34 compensation but shall be reimbursed for travel expenses as provided in
35 RCW 43.03.050 and 43.03.060. Members appointed by the governor shall
36 be compensated in accordance with RCW 43.03.220. The board has all
37 powers necessary to carry out its duties as prescribed by this chapter.

1 (2) By March 1, 2007, the department of transportation shall
2 establish rules for commute trip reduction plans and implementation
3 procedures. The commute trip reduction board shall advise the
4 department on the content of the rules. The rules are intended to
5 ensure consistency in commute trip reduction plans and goals among
6 jurisdictions while fairly taking into account differences in
7 employment and housing density, employer size, public institution size,
8 existing and anticipated levels of transit service, special employer or
9 public institution circumstances, and other factors the board
10 determines to be relevant. The rules shall include:

11 (a) Guidance criteria for growth and transportation efficiency
12 centers;

13 (b) Data measurement methods and procedures for determining the
14 efficacy of commute trip reduction activities and progress toward
15 meeting commute trip reduction plan goals;

16 (c) Model commute trip reduction ordinances;

17 (d) Methods for assuring consistency in the treatment of: (i)
18 Employers who have worksites subject to the requirements of this
19 chapter in more than one jurisdiction or (ii) public institutions that
20 have campus locations in more than one jurisdiction;

21 (e) An appeals process by which major employers or public
22 institutions, who as a result of special characteristics of their
23 business or its locations would be unable to meet the requirements of
24 a commute trip reduction plan, may obtain a waiver or modification of
25 those requirements and criteria for determining eligibility for waiver
26 or modification;

27 (f) Establishment of a process for determining the state's affected
28 areas, including criteria and procedures for regional transportation
29 planning organizations in consultation with local jurisdictions to
30 propose to add or exempt urban growth areas;

31 (g) Listing of the affected areas of the program to be done every
32 four years as identified in subsection (5) of this section;

33 (h) Establishment of a criteria and application process to
34 determine whether jurisdictions that voluntarily implement commute trip
35 reduction are eligible for state funding;

36 (i) Guidelines and deadlines for creating and updating local
37 commute trip reduction plans, including guidance to ensure consistency

1 between the local commute trip reduction plan and the transportation
2 demand management strategies identified in the transportation element
3 in the local comprehensive plan, as required by RCW 36.70A.070;

4 (j) Guidelines for creating and updating regional commute trip
5 reduction plans, including guidance to ensure the regional commute trip
6 reduction plan is consistent with and incorporated into transportation
7 demand management components in the regional transportation plan;

8 (k) Methods for regional transportation planning organizations to
9 evaluate and certify that designated growth and transportation
10 efficiency center programs meet the minimum requirements and are
11 eligible for funding;

12 (l) Guidelines for creating and updating growth and transportation
13 efficiency center programs; and

14 (m) Establishment of statewide program goals. The goals shall be
15 designed to achieve substantial reductions in the proportion of
16 single-occupant vehicle commute trips and the commute trip vehicle
17 miles traveled per employee, at a level that is projected to improve
18 the mobility of people and goods by increasing the efficiency of the
19 state highway system.

20 (3) The board shall create a state commute trip reduction plan that
21 shall be updated every four years as discussed in subsection (5) of
22 this section. The state commute trip reduction plan shall include, but
23 is not limited to: (a) Statewide commute trip reduction program goals
24 that are designed to substantially improve the mobility of people and
25 goods; (b) identification of strategies at the state and regional
26 levels to achieve the goals and recommendations for how transportation
27 demand management strategies can be targeted most effectively to
28 support commute trip reduction program goals; (c) performance measures
29 for assessing the cost-effectiveness of commute trip reduction
30 strategies and the benefits for the state transportation system; and
31 (d) a sustainable financial plan. The board shall review and approve
32 regional commute trip reduction plans, and work collaboratively with
33 regional transportation planning organizations in the establishment of
34 the state commute trip reduction plan.

35 (4) The board shall work with affected jurisdictions, major
36 employers, public institutions, and other parties to develop and
37 implement a public awareness campaign designed to increase the

1 effectiveness of local commute trip reduction programs and support
2 achievement of the objectives identified in this chapter.

3 (5) The board shall evaluate and update the commute trip reduction
4 program plan and recommend changes to the rules every four years, with
5 the first assessment report due July 1, 2011, to ensure that the latest
6 data methodology used by the department of transportation is
7 incorporated into the program and to determine which areas of the state
8 should be affected by the program. The board shall review the
9 definitions of a major employer and public institution no later than
10 December 1, 2009. The board shall regularly identify urban growth
11 areas that are projected to be affected by chapter 329, Laws of 2006 in
12 the next four-year period and may provide advance planning support to
13 the potentially affected jurisdictions.

14 (6) The board shall review progress toward implementing commute
15 trip reduction plans and programs and the costs and benefits of commute
16 trip reduction plans and programs and shall make recommendations to the
17 legislature and the governor by December 1, 2009, and every two years
18 thereafter. In assessing the costs and benefits, the board shall
19 consider the costs of not having implemented commute trip reduction
20 plans and programs (~~((with the assistance of the transportation
21 performance audit board authorized under chapter 44.75 RCW))~~). The
22 board shall examine other transportation demand management programs
23 nationally and incorporate its findings into its recommendations to the
24 legislature. The recommendations shall address the need for
25 continuation, modification, or termination or any or all requirements
26 of this chapter.

27 (7) The board shall invite personnel with appropriate expertise
28 from state, regional, and local government, private, public, and
29 nonprofit providers of transportation services, representatives from
30 public institutions, and employers or owners of major worksites in
31 Washington to act as a technical advisory group. The technical
32 advisory group shall advise the board on the implementation of local
33 and regional commute trip reduction plans and programs, program
34 evaluation, program funding allocations, and state rules and
35 guidelines.

36 **Sec. 8.** RCW 70.94.541 and 2006 c 329 s 8 are each amended to read
37 as follows:

1 (1) The department of transportation shall provide staff support to
2 the commute trip reduction board in carrying out the requirements of
3 RCW 70.94.537.

4 (2) The department of transportation shall provide technical
5 assistance to regional transportation planning organizations, counties,
6 cities, and towns, the department of general administration, other
7 state agencies, and other employers, as well as public institutions, in
8 developing and implementing commute trip reduction plans and programs
9 for employees or students. The technical assistance shall include:

10 (a) Guidance in single measurement methodology and practice to be used
11 in determining progress in attaining plan goals; (b) developing model
12 plans and programs appropriate to different situations; and (c)
13 providing consistent training and informational materials for the
14 implementation of commute trip reduction programs. Model plans and
15 programs, training, and informational materials shall be developed in
16 cooperation with representatives of regional transportation planning
17 organizations, local governments, transit agencies, ~~((and))~~ employers,
18 and public institutions developing commuter programs for students.

19 (3) In carrying out this section the department of transportation
20 may contract with statewide associations representing cities, towns,
21 and counties to assist cities, towns, and counties in implementing
22 commute trip reduction plans and programs.

23 **Sec. 9.** RCW 70.94.547 and 2006 c 329 s 10 are each amended to read
24 as follows:

25 The legislature hereby recognizes the state's crucial leadership
26 role in establishing and implementing effective commute trip reduction
27 programs. Therefore, it is the policy of the state that the department
28 of general administration and other state agencies, including
29 institutions of higher education, shall aggressively develop
30 substantive programs to reduce commute trips by state employees.
31 Further, it is the policy of the state that public institutions of
32 higher education develop commute trip reduction programs not only for
33 their employee's, but also their students. Implementation of these
34 programs will reduce energy consumption, congestion in urban areas, and
35 air and water pollution associated with automobile travel.

1 **Sec. 10.** RCW 70.94.551 and 2006 c 329 s 11 are each amended to
2 read as follows:

3 (1) The director of the department of general administration may
4 coordinate an interagency board for the purpose of developing policies
5 or guidelines that promote consistency among state agency commute trip
6 reduction programs required by RCW 70.94.527 and 70.94.531. The board
7 shall include representatives of the departments of transportation,
8 ecology, and community, trade, and economic development and such other
9 departments and interested groups as the director of the department of
10 general administration determines to be necessary. Policies and
11 guidelines shall be applicable to all state agencies including but not
12 limited to policies and guidelines regarding parking and parking
13 charges, employee and student incentives for commuting by other than
14 single-occupant automobiles, flexible and alternative work schedules,
15 alternative worksites, and the use of state-owned vehicles for car and
16 van pools and guaranteed rides home. The policies and guidelines shall
17 also consider the costs and benefits to state agencies of achieving
18 commute trip reductions and consider mechanisms for funding state
19 agency commute trip reduction programs.

20 (2) State agencies sharing a common location in affected urban
21 growth areas where the total number of state employees is one hundred
22 or more shall, with assistance from the department of general
23 administration, develop and implement a joint commute trip reduction
24 program. The worksite shall be treated as specified in RCW 70.94.531
25 and 70.94.534.

26 (3) The department of general administration shall review the
27 initial commute trip reduction program of each state agency subject to
28 the commute trip reduction plan for state agencies to determine if the
29 program is likely to meet the applicable commute trip reduction goals
30 and notify the agency of any deficiencies. If it is found that the
31 program is not likely to meet the applicable commute trip reduction
32 goals, the department of general administration will work with the
33 agency to modify the program as necessary.

34 (4) Each state agency implementing a commute trip reduction plan
35 shall report at least once per year to its agency director on the
36 performance of the agency's commute trip reduction program as part of
37 the agency's quality management, accountability, and performance system

1 as defined by RCW 43.17.385. The reports shall assess the performance
2 of the program, progress toward state goals established under RCW
3 70.94.537, and recommendations for improving the program.

4 (5) The department of general administration shall review the
5 agency performance reports defined in subsection (4) of this section
6 and submit a biennial report for state agencies subject to this chapter
7 to the governor and incorporate the report in the commute trip
8 reduction board report to the legislature as directed in RCW
9 70.94.537(6). The report shall include, but is not limited to, an
10 evaluation of the most recent measurement results, progress toward
11 state goals established under RCW 70.94.537, and recommendations for
12 improving the performance of state agency commute trip reduction
13 programs. The information shall be reported in a form established by
14 the commute trip reduction board.

15 NEW SECTION. **Sec. 11.** A new section is added to chapter 70.94 RCW
16 to read as follows:

17 Each public institution of higher education must maintain at least
18 one full-time equivalent employee for the purpose of managing the
19 public institution's commute trip reduction program to ensure that the
20 program is offered to students in addition to employees, as required
21 under this chapter.

22 NEW SECTION. **Sec. 12.** The sum of thirty-five thousand dollars, or
23 as much thereof as may be necessary, is appropriated for the fiscal
24 year ending June 30, 2008, from the general fund to each public
25 institution of higher education, as defined in this act, for the
26 purposes of section 11 of this act.

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